

UNITED STATES DISTRICT COURT

Southern

District of

New York

Stephanie Alexis Melendez and Eric Cruz

SUMMONS IN A CIVIL ACTION

V.

The City of New York, Kevin McGeough, Smith
and John Does # 1-5

CASE NUMBER:

07 CV 6511

JUDGE BAER

TO: (Name and address of Defendant)

New York City Law Department
100 Church Street
New York, New York 10007

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

The Law Office of Scott G. Cerbin, LLC
26 Court Street, Suite 810
Brooklyn, New York 11242

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 19 2007

DATE

CLERK

Wards Quintero

(BY) DEPUTY CLERK

JUDGE BAER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEPHANIE ALEXIS MELENDEZ and ERIC CRUZ

07 CIV 6511

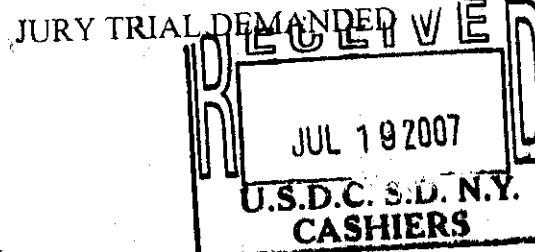
Plaintiffs,

COMPLAINT

-against-

THE CITY OF NEW YORK, KEVIN MC GEOUGH,
SMITH, and JOHN DOES #1-5

Defendants.



Plaintiffs STEPHANIE ALEXIS MELENDEZ and ERIC CRUZ, by and through their attorneys, THE LAW OFFICE OF SCOTT G. CERBIN, LLC, complaining of the defendants herein, respectfully shows the Court and alleges:

PRELIMINARY STATEMENT

1. This is a civil rights action in which the plaintiffs, STEPHANIE ALEXIS MELENDEZ and ERIC CRUZ, seek relief for the defendants' violation of their rights secured by the Civil Rights Act of 1871, 42 U.S.C. § 1983, and of rights secured by the Fourth and Fourteenth Amendments to the United States Constitution, and of rights secured under the laws and Constitution of the State of New York. The plaintiffs seek damages, both compensatory and punitive, affirmative and equitable relief, an award of costs, interest and attorney's fees, and such other and further relief as this Court deems equitable and just.

JURISDICTION AND VENUE

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1333 and 42, this being an action seeking redress for the violation of plaintiffs' constitutional and civil rights